

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA**

Fill in this information to identify your case:

Debtor 1	<b>Robert Crowell</b>		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
Case number (If known)	<b>22-20300</b>		

☒ Check if this is an amended plan.

**Amended Chapter 13 Plan and Motion**

[Pursuant to Fed. R. Bankr. P. 3015.1, the Southern District of Georgia General Order 2017-3 adopts this form in lieu of the Official Form 113].

**1. Notices. Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as not being contained in the plan or if neither or both boxes are checked, the provision will be ineffective if set out in the plan.**

- (a) This plan: ☐ contains nonstandard provisions. See paragraph 15 below.  
☒ does not contain nonstandard provisions.
- (b) This plan: ☐ values the claim(s) that secures collateral. See paragraph 4(f) below.  
☒ does not value claim(s) that secures collateral.
- (c) This plan: ☐ seeks to avoid a lien or security interest. See paragraph 8 below.  
☒ does not seek to avoid a lien or security interest.

**2. Plan Payments.**

- (a) The Debtor(s) shall pay to the Chapter 13 Trustee (the "Trustee") the sum of **\$1,300.00** for the applicable commitment period of:

☒ 60 months: **or**

☐ a minimum of 36 months. See 11 U.S.C. § 1325(b)(4).

(If applicable include the following: These plan payments will change to \$\_\_\_\_\_ monthly on \_\_\_\_\_.)

- (b) The payments under paragraph 2(a) shall be paid:

☒ Pursuant to a Notice to Commence Wage Withholding, the Debtor(s) request(s) that the Trustee serve such Notice(s) upon the Debtor's(s') employer(s) as soon as practicable after the filing of this plan. Such Notice(s) shall direct the Debtor's(s') employer(s) to withhold and remit to the Trustee a dollar amount that corresponds to the following percentages of the monthly plan payment:

☒ Debtor 1 **100** % ☐ Debtor 2 \_\_\_\_\_ %

☐ Direct to the Trustee for the following reason(s):

☐ The Debtor(s) receive(s) income solely from self-employment, Social Security, government assistance, or retirement.

☐ The Debtor(s) assert(s) that wage withholding is not feasible for the following reason(s):

- (c) Additional Payments of **\$0.00** (estimated amount) will be made on \_\_\_\_\_, (anticipated date) from (source, including income tax refunds).

**3. Long-Term Debt Payments.**

- (a) **Maintenance of Current Installment Payments.** The Debtor(s) will make monthly payments in the manner specified as follows on the following long-term debts pursuant to 11 U.S.C. § 1322(b)(5). These postpetition payments will be disbursed by either the Trustee or directly by the Debtor(s), as specified below. Postpetition payments are to be applied to postpetition amounts owed for principal,

Debtor **Robert Crowell** Case number **22-20300**

interest, authorized postpetition late charges and escrow, if applicable. Conduit payments that are to be made by the Trustee which become due after the filing of the petition but before the month of the first payment designated here will be added to the prepetition arrearage claim.

CREDITOR	COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	PAYMENTS TO MADE BY (TRUSTEE OR DEBTOR(S))	MONTH OF FIRST POSTPETITION PAYMENT TO CREDITOR	INITIAL MONTHLY PAYMENT
<b>Model Finance Company</b>	<b>2003 Seadoo 750 Daughter and Son in Law are in possession and pay the monthly payment 2015 Volkswagen Passat 153000 miles Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>No</b>	<b>Daughter</b>		<b>\$0.00</b>
<b>U S Auto Finance, Inc.</b>	<b>2015 Volkswagen Passat 153000 miles Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>No</b>	<b>Debtor</b>		<b>\$93.45</b>

- (b) **Cure of Arrearage on Long-Term Debt.** Pursuant to 11 U.S.C. § 1322(b)(5), prepetition arrearage claims will be paid in full through disbursements by the Trustee, with interest (if any) at the rate stated below. Prepetition arrearage payments are to be applied to prepetition amounts owed as evidenced by the allowed claim.

CREDITOR	DESCRIPTION OF COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	ESTIMATED AMOUNT OF ARREARAGE	INTEREST RATE ON ARREARAGE (if applicable)
<b>-NONE-</b>				

4. **Treatment of Claims.** From the payments received, the Trustee shall make disbursements as follows unless designated otherwise:
- (a) **Trustee's Fees.** The Trustee percentage fee as set by the United States Trustee.
- (b) **Attorney's Fees.** Attorney's fees allowed pursuant to 11 U.S.C. § 507(a)(2) of **\$4,000.00**.
- (c) **Priority Claims.** Other 11 U.S.C. § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.
- (d) **Fully Secured Allowed Claims.** All allowed claims that are fully secured shall be paid through the plan as set forth below.

CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
<b>1st Franklin Financial</b>	<b>2013 Yamaha Golf Cart, 1999 sail fish flats boat Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>14,121.58</b>	<b>7.00%</b>	<b>279.62</b>
<b>Title Max</b>	<b>2000 Ford F250 130000 miles Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>4,361.00</b>	<b>6.00%</b>	<b>84.31</b>

- (e) **Secured Claims Excluded from 11 U.S.C. § 506 (those claims subject to the hanging paragraph of 11 U.S.C. § 1325(a)).** The claims listed below were either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value. These claims will be paid in full under the plan with interest at the rate stated below:

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CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
<b>Bridgecrest</b>	<b>2013 Nissan Rogue 104000 miles Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>13,489.00</b>	<b>6.00%</b>	<b>221.69</b>

- (f) **Valuation of Secured Claims to Which 11 U.S.C. § 506 is Applicable.** The Debtor(s) move(s) to value the claims partially secured by collateral pursuant to 11 U.S.C. § 506 and provide payment in satisfaction of those claims as set forth below. The unsecured portion of any bifurcated claims set forth below will be paid pursuant to paragraph 4(h) below. The plan shall be served on all affected creditors in compliance with Fed. R. Bankr. P. 3012(b), and the Debtor(s) shall attach a certificate of service.

CREDITOR	DESCRIPTION OF COLLATERAL	VALUATION OF SECURED CLAIM	INTEREST RATE	MONTHLY PAYMENT
<b>-NONE-</b>				

- (g) **Special Treatment of Unsecured Claims.** The following unsecured allowed claims are classified to be paid at 100%

☐ with interest at \_\_\_\_% per annum; or ☐ without interest:

**None**

- (h) **General Unsecured Claims.** Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in paragraph 4(f) or paragraph 9 of this plan, will be paid a **dividend of \$8,359.04.**

**5. Executory Contracts.**

- (a) **Maintenance of Current Installment Payments or Rejection of Executory Contract(s) and/or Unexpired Lease(s).**

CREDITOR	DESCRIPTION OF PROPERTY/SERVICES AND CONTRACT	ASSUMED/REJECTED	MONTHLY PAYMENT	DISBURSED BY TRUSTEE OR DEBTORS
<b>-NONE-</b>				

- (b) **Treatment of Arrearages.** Prepetition arrearage claims will be paid in full through disbursements by the Trustee.

CREDITOR	ESTIMATED ARREARAGE
<b>-NONE-</b>	

- 6. Adequate Protection Payments.** The Debtor(s) will make pre-confirmation lease and adequate protection payments pursuant to 11 U.S.C. § 1326(a)(1) on allowed claims of the following creditors: ☐ Direct to the Creditor; or ☒ To the Trustee

CREDITOR	ADEQUATE PROTECTION OR LEASE PAYMENT AMOUNT
<b>1st Franklin Financial</b>	<b>141.21</b>
<b>Bridgecrest</b>	<b>114.72</b>
<b>U S Auto Finance, Inc.</b>	<b>48.34</b>

- 7. Domestic Support Obligations.** The Debtor(s) will pay all postpetition domestic support obligations direct to the holder of such claim identified here. See 11 U.S.C. § 101(14A). The Trustee will provide the statutory notice of 11 U.S.C. § 1302(d) to the following claimant(s):

CLAIMANT	ADDRESS
<b>-NONE-</b>	

- 8. Lien Avoidance.** Pursuant to 11 U.S.C. § 522(f), the Debtor(s) move(s) to avoid the lien(s) or security interest(s) of the following creditor(s), upon confirmation but subject to 11 U.S.C. § 349, with respect to the property described below. The plan shall be served on all affected creditor(s) in compliance with Fed. R. Bankr. P. 4003(d), and the Debtor(s) shall attach a certificate of service.

CREDITOR	LIEN IDENTIFICATION (if known)	PROPERTY
<b>-NONE-</b>		

- 9. Surrender of Collateral.** The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below upon confirmation of the plan. The Debtor(s) request(s) that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated

Debtor Robert CrowellCase number 22-20300

as to the collateral only and that the stay under 11 U.S.C. § 1301 be terminated in all respects. Any allowed deficiency balance resulting from a creditor's disposition of the collateral will be treated as an unsecured claim in paragraph 4(h) of this plan if the creditor amends its previously-filed, timely claim within 180 days from entry of the order confirming this plan or by such additional time as the creditor may be granted upon motion filed within that 180-day period.

CREDITOR	DESCRIPTION OF COLLATERAL	AMOUNT OF CLAIM SATISFIED
<b>Santander Consumer USA Inc.</b>	<b>2004 Chrysler PT Cruiser (Car was totaled several years ago)</b>	<b>unknown</b>
<b>Texas Dealer Solutions</b>	<b>2012 Toyota Sienna 207000 miles Location: 1073 Well Street NE, Townsend GA 31331</b>	<b>7,257.00</b>

- 10. Retention of Liens.** Holders of allowed secured claims shall retain the liens securing said claims to the full extent provided by 11 U.S.C § 1325(a)(5).
- 11. Amounts of Claims and Claim Objections.** The amount, and secured or unsecured status, of claims disclosed in this plan are based upon the best estimate and belief of the Debtor(s). An allowed proof of claim will supersede those estimated claims. In accordance with the Bankruptcy Code and Federal Rules of Bankruptcy Procedure objections to claims may be filed before or after confirmation.
- 12. Payment Increases.** The Debtor(s) will increase payments in the amount necessary to fund allowed claims as this plan proposes, after notice from the Trustee and a hearing if necessary, unless a plan modification is approved.
- 13. Federal Rule of Bankruptcy Procedure 3002.1.** The Trustee shall not pay any fees, expenses, or charges disclosed by a creditor pursuant to Fed. R. Bankr. P. 3002.1(c) unless the Debtor's(s') plan is modified after the filing of the notice to provide for payment of such fees, expenses, or charges.
- 14. Service of Plan.** Pursuant to Fed. R. Bankr. P. 3015(d) and General Order 2017-3, the Debtor(s) shall serve the Chapter 13 plan on the Trustee and all creditors when the plan is filed with the court, and file a certificate of service accordingly. If the Debtor(s) seek(s) to limit the amount of a secured claim based on valuation of collateral (paragraph 4(f) above), seek(s) to avoid a security interest or lien (paragraph 8 above), or seek(s) to initiate a contested matter, the Debtor(s) must serve the plan on the affected creditors pursuant to Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 3012(b), 4003(d), and 9014.
- 15. Nonstandard Provisions.** Under Fed. R. Bankr. P. 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise in this local plan form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

By signing below, I certify the foregoing plan contains no nonstandard provisions other than those set out in paragraph 15.

Dated: February 1, 2023

/s/ Robert Crowell  
Robert Crowell

Debtor 1

Debtor 2

/s/ James B. Smith  
James B. Smith 122069

Attorney for the Debtor(s)

CERTIFICATE OF SERVICE

I hereby certify that I have this day placed in the United States Mail a copy of the foregoing AMENDED CHAPTER 13 PLAN AND MOTION to the following:

**SEE ATTACHED MATRIX**

I hereby certify that I have served a copy of the Chapter 13 Plan on the following corporations addressed to an Agent or Officer by First Class Mail with proper postage affixed thereon to the following addresses:

**(See attached matrix: For each entity required to be served pursuant to Federal Rule of Bankruptcy Procedure 7004(b)(3) the wording "Attention: Managing Officer" or appropriate similar wording is included in the address.)**

I hereby certify that the following insured depository institutions were served by Certified Mail addressed to the officer of the institution:

I hereby certify that the following parties and counsel were served electronically through the Notice of Electronic at the following address:

M. Elaina Massey  
Chapter 13 Trustee

Respectfully submitted this 1<sup>st</sup> Day of February, 2023

/s/James B. Smith

James B. Smith  
Attorney for Debtor  
GA BAR NO: 122069  
15618 U.S. Highway 17  
Townsend, GA 31331  
9128322395

Label Matrix for local noticing  
113J-2  
Case 22-20300-MJK  
Southern District of Georgia  
Brunswick  
Thu Jan 26 12:32:03 EST 2023

AES  
Attn: Bankruptcy  
Po Box 64378  
St. Paul MN 55164-0378

(p)AMERICOLLECT INC  
PO BOX 2080  
MANITOWOC WI 54221-2080

Bridgecrest Acceptance Corporation, c/o AIS  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

Citibank  
Attn: Bankruptcy  
P.O. Box 790034  
St Louis MO 63179-0034

Credit One Bank  
Attn: Bankruptcy Department  
Po Box 98873  
Las Vegas NV 89193-8873

Internal Revenue Service  
PO Box 7346  
Philadelphia PA 19101-7346

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

McIntosh County Magistrate Court  
PO Box 458  
Darlen GA 31305-0458

Midland Credit Management, Inc.  
PO Box 2037  
Warren, MI 48090-2037

1st Franklin Financial  
95 Altama Connector  
PO Box 459  
Brunswick GA 31521-0459

Acima Credit  
9815 South Monroe Street  
4th Floor  
Sandy UT 84070-4384

Bridgecrest  
7300 East Hampton Avenue  
Suite 100  
Mesa AZ 85209-3324

Caine & Weiner  
Attn: Bankruptcy  
5805 Sepulveda Blvd  
Sherman Oaks CA 91411-2546

Cooling & Winter LLC  
PO Box 100150  
Marietta GA 30061-7001

Robert Crowell  
1073 Well Street NE  
Townsend, GA 31331-4017

Internal Revenue Service  
PO Box 931000  
Louisville KY 40293-1000

M. Elaina Massey  
Post Office Box 1717  
Brunswick, GA 31521-1717

Memorial Savannah  
Resurgent Capital Services  
PO Box 1927  
Greenville, SC 29602-1927

Midland Funding, LLC  
Attn: Bankruptcy  
Po Box 939069  
San Diego CA 92193-9069

1st Franklin Financial Corporation  
Attn: Administrative Services  
PO Box 880  
Toccoa, GA 30577-0880

Alliant Capital Management - HDH  
C/O WEINSTEIN & RILEY, PS  
2001 WESTERN AVE., STE 400  
SEATTLE, WA 98121-3132

Bridgecrest Acceptance Corporation by AIS Po  
PO Box 4138  
Houston, TX 77210-4138

Capital Bank N.A.  
2275 Research Blvd. Ste 600  
Rockville MD 20850-6238

Credit Collection Services  
Attn: Bankruptcy  
725 Canton St  
Norwood MA 02062-2679

Holloway Credit Solutions  
Attn: Bankruptcy  
Po Box 230609  
Montgomery AL 36123-0609

(p)JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

McIntosh County Magistrate Court  
310 North Way Suite 101  
Darlen GA 31305-9124

(p)MID ATLANTIC FINANCE  
4592 ULMERTON ROAD  
CLEARWATER FL 33762-4107

(p)MODEL FINANCE COMPANY  
PO BOX 5825  
ORANGE CA 92863-5825

Pinnacle Credit Services, LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Quantum3 Group LLC as agent for Sadino Funding LLC PO Box 788 Kirkland, WA 98083-0788	Santander Consumer USA Inc.; as Assignee for Drive 1601 Elm St., Ste. 800 Dallas, TX 75201-7260
Security Credit Services Attn: Bankruptcy Po Box 1156 Oxford MS 38655-1156	James Benjamin Smith James B. Smith, Attorney at Law, LLC 15618 U S Highway 17 Townsend, GA 31331-3700	(p)TEXAS DEALER SOLUTIONS ATTN BRENT NEWMAN 4210 SOUTH INDUSTRIAL DR SUITE 100 AUSTIN TX 78744-1173
U S Auto Finance, Inc. Attn: Bankruptcy 824 North Market St., Suite 220 Wilmington DE 19801-3024	(p)U S ATTORNEY'S OFFICE P O BOX 8970 SAVANNAH GA 31412-8970	Verizon by American InfoSource as agent 4515 N Santa Fe Ave Oklahoma City, OK 73118-7901

Westlake Portfolio Management, LLC  
Attn: Bankruptcy  
Po Box 76809  
Los Angeles CA 90076-0809

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Americollect, Inc 1851 S Alverno Road Manitowoc WI 54221	Jefferson Capital Systems LLC Po Box 7999 Saint Cloud MN 56302-9617	Mid-Atlantic Finance Company 4592 Ulmerton Road Suite 200 Clearwater FL 33762
Model Finance Company 765 The City Dr. South Orange CA 92868	Texas Dealer Solutions 4210 Industrial Dr Austin TX 78744	United States Attorney P.O. Box 8970 Savannah GA 31412

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)1st Franklin Financial Corporation	End of Label Matrix	
	Mailable recipients	42
	Bypassed recipients	1
	Total	43